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3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

5 \* \* \*

6 STEVEN O'BRIEN,

7 Plaintiff,

8 v.

9 R.C. WILLEY HOME FURNISHINGS,

10 Defendant.  
11

Case No. 2:15-cv-00329-RCJ-DJA

**ORDER SETTING SETTLEMENT  
CONFERENCE**

12 This matter has been referred to the undersigned for a mandatory settlement conference  
13 (ECF No. 62). A settlement conference is hereby set for **Wednesday, September 18, 2019**.

14 Plaintiff must report to the chambers of the undersigned United States Magistrate Judge, Room  
15 3099, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas,  
16 Nevada, at **9:30 a.m.** Defendants must report to the chambers of the undersigned at **10:00 a.m.**

17 Unless the court orders otherwise, the following individual(s) must be present in person  
18 for the duration of the settlement conference:

19 1. An attorney of record who will be participating in the trial and who has full  
20 authority to settle this case;

21 2. All parties appearing pro se;

22 3. All individual parties;

23 4. In the case of non-individual parties, an officer or representative with binding  
24 authority to settle this matter up to the full amount of the claim or last demand made; and

25 5. If any party is subject to coverage by an insurance carrier, then a representative of  
26 the insurance carrier with authority to settle this matter up to the full amount of the claim or last  
27 demand.  
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1 A request for an exception to the foregoing personal attendance requirements must be  
2 filed and served on all parties at least 14 days before the settlement conference.

### 3 **PREPARATION FOR SETTLEMENT CONFERENCE**

4 In preparation for the settlement conference, each party must submit a confidential  
5 settlement conference statement for in camera review. The statement must contain the following:

- 6 1. A brief statement of the nature of the action.
- 7 2. A concise summary of the evidence that supports your theory of the case,  
8 including the names of individuals disclosed pursuant to Rule 26(a)(1)(A)(i), the Rule  
9 26(a)(1)(A)(iii) computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information.  
10 You must provide all information which documents or supports your damages claims. Copies of  
11 medical records or treatment records need not be submitted but, rather, must be provided in a  
12 table or summary format.
- 13 3. Attach to your statement any documents or exhibits that are relevant to key factual  
14 or legal issues, including selected pages from deposition transcripts or responses to other  
15 discovery requests.
- 16 4. An analysis of the key issues involved in the litigation. The analysis must include  
17 a discussion of the strongest points in your case, both legal and factual, and a frank discussion of  
18 the weakest points as well. The court expects you to present a thorough analysis of the key issues  
19 and candid evaluation of the merits of your case.
- 20 5. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps,  
21 or motions pending before the court.
- 22 6. The history of settlement discussions, if any, which have occurred in this case.  
23 Provide any demands, offers, or offers of judgment that have been made and, if applicable, the  
24 reasons they have been rejected. Attach a copy of all settlement correspondence, including all  
25 written demands or offers and responses to the offers.

7. Provide the initial settlement proposal that will be presented at the settlement conference with a justification for any monetary amount. The proposal must include any non-monetary settlement terms that will be presented.

8. The parties are encouraged, but not required, to exchange non-confidential portions of the settlement conference statements before the scheduled conference. The court has found the exchange of statements beneficial for purposes of settlement discussion.

The settlement conference statements must be received in my chambers, Room 3099, not later than **4:00 p.m. on Wednesday, September 11, 2019**. Do not serve a copy on opposing counsel. Do not deliver or mail copies to the clerk's office.

The purpose of the statement is to assist the undersigned magistrate judge in preparing for and conducting the settlement conference. To facilitate a meaningful conference, your utmost candor in responding to all of the above-listed questions is required. The settlement conference statement will remain confidential. If this case does not settle, the settlement conference statement will not be disclosed to the judge who ultimately presides over the trial. Each statement will be securely maintained in my chambers and will be destroyed following the conference.

Failure to comply with the requirements set forth in this order will subject the non-compliant party to sanctions under Federal Rule of Civil Procedure 16(f).

DATED: August 12, 2019

DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE